# Ordinance Introduced in First Reading March 23; Public Hearing Tuesday, April 13, 2021 at 4:30 p.m.

#### 21-004 D

# AN ORDINANCE OF THE BOROUGH OF RUMSON TO AMEND CHAPTER XXII "DEVELOPMENT REGULATIONS" SECTION 22-5 "ZONING DISTRICT REGULATIONS", TO AMEND A RESIDENTIAL ZONE ALSO KNOWN AS THE RUMSON ROAD HOUSING ZONE DISTRICT (RR)

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter XXII (Development Regulations) of the Code of the Borough of Rumson is hereby amended or supplemented as follows:

#### **PURPOSE**

The purpose of this Ordinance is to Amend *Chapter XXII* of the *Development Regulations* to amend Section 22-5 (Zoning District Regulations) Subsection 22-5.20 Rumson Road Housing Zone District (RR). The complete set of exhibits attached herewith are also amended to now conform with the text of the amended Ordinance.

In any instance in which these regulations and standards do not address a particular land development control, or when specific reference to the Land Development Ordinance is made, the standards of the Development Regulations shall apply:

#### **SECTION 1**

That Chapter XXII, Development Regulations, Section 22-5 (Zoning District Regulations) is hereby amended to amend the Rumson Road Housing Zone District (RR) and amend Subsection 22-5.20 to update the current zoning requirements:

#### Chapter 22-5.20 Rumson Road Housing Zone District (RR)

#### A. Applicability.

The use, bulk, design and performance standards of the RR District shall supersede the zoning provisions of the Rumson Borough General Ordinances and the Development Regulation Ordinance (Chapter XXII). However, where the regulations and standards of the RR District are silent, the standards of the General Ordinances and Chapter XXII shall apply.

#### B. Purpose.

The RR District provides land use regulations for the redevelopment of the site where specific site elements are incorporated that limit the impact to the surrounding parcels through the requirement of adequate development setbacks, alternate means of access and sufficient buffering. The RR District is intended to provide for the development of multifamily housing with a payment in-lieu contribution to the Borough's Affordable Housing Trust Fund to support the development of very low, low and moderate income housing elsewhere in the Borough. The RR District is being created to implement the Settlement Agreement between the Borough of Rumson and Yellow Brook Property Co., LLC, which was entered into on January 16, 2020 (hereinafter the "Yellow Brook Settlement Agreement"), the terms and conditions of which are incorporated herein by reference.

- C. Permitted Uses. Permitted principal uses and structures. The following principal uses and structures shall be permitted in the RR District.
  - 1. Triplex Dwellings.
  - 2. Carriage Home Dwellings.
  - 3. <u>Duplex Dwellings.</u>

- 4. Public and private open space and parks.
- D. Accessory Uses Permitted. The following accessory uses and structures shall be permitted in the RR District:
  - 1. Fences and walls.
  - 2. Off-street parking including stand-alone garages.
  - 3. Site Furnishings (seating, etc.).
  - 4. <u>Proposed and existing accessory Accessory</u> structures <u>to remain</u> as depicted on the concept plan that is attached to the Yellow Brook Settlement Agreement as Exhibit C. The exhibit is also attached hereto as Exhibit A.
- E. Community Design and Access. Any plan for the development of the parcel shall be substantially consistent with Exhibit C of the Yellow Brook Settlement Agreement (also attached hereto as Exhibit A), which shall be utilized, in terms of layout, arrangement, scale and intensity. Principal buildings are not required to front on an improved public street as the carriage house dwelling is dwellings and duplex dwellings are permitted to be located behind the triplex dwelling dwellings.
- F. Maximum Building Height.
  - 1. Maximum building height for the triplex and carriage home dwellings shall not exceed 35 feet in height and two and a half  $(2 \frac{1}{2})$  stories.
  - 2. Maximum building height for the stand-alone garage buildings shall not exceed 22 feet in height and one and a half  $(1 \frac{1}{2})$  stories.
- G. Area and Yard Requirements.

The following area and bulk regulations shall apply:

1.	Maximum number of dwelling units:		<del>16</del> 14
2.	Maximum building coverage:		15%
3.	Maximum impervious coverage:		32%
4.	Minimum setback from right-of-way:		55 feet
5.	Minimum setback from tract boundary (other than RO	W):	40 feet
6.	Minimum buffer width from tract boundary:		25 feet
7.	Minimum distance between triplex dwellings:		t to foundation / eet porch

- 8. Parking spaces shall be provided for all residential dwellings according to the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).
- 9. Parking areas and driveways <u>not required for direct access to the public right-of-way</u> shall be located a minimum of 25 feet from any tract boundary.
- 10. Garages within 250 feet of the public right-of-way shall not face the public right-of-way without an intervening principal building projection line situated between the garage and the public right-of-way.
- 11. 60% of the required parking shall be provided within an enclosed garage.

- 12. Parking not within a garage shall not be visible from the public right-of-way, and shall be screened from adjoining property owners and the public right-of-way with plantings, walls and fences to provide 100% opacity.
- 13. Outside refuse disposal is not permitted. Refuse disposal container shall be contained with the buildings.
- 14. The buffer area shall not include driveways <u>other than for access purposes to the right-of-way</u>, parking, utilities, stormwater management, patios, courtyards, decks, mechanical equipment or buildings.
  - a. Existing vegetation within the buffer that is not considered invasive or dead or dying shall be preserved.
  - b. Landscape buffers shall consist of a combination of deciduous trees, conifers, shrubs, berms, and if appropriate, fences or walls in sufficient quantities and sizes to perform their necessary screening function.
  - c. Existing on-site trees to remain within the required buffer area shall be utilized as part, and incorporated into, the buffer design.
  - d. <u>With the exception of areas delineated as wetlands and wetland transition areas approved by NJDEP, proposed Proposed-screening layout and elements shall be placed only within the required buffer area and are subject to review and approval by the Borough.</u>
  - e. Proposed plant material shall provide a four-season interest, be deer tolerant and consist primarily of native species. Invasive plant species shall not be allowed. Applicants are encouraged to use the New Jersey American Native Plant Society and the Rutgers Agricultural Extension Service websites as a guide in species selection.
  - f. Plant material shall be installed at the following minimum sizes:

Deciduous trees – 3" caliper minimum Conifer trees – 8' height minimum Large Evergreen and Deciduous Shrubs – 4' height minimum Small Evergreen and Deciduous Shrubs – 2' height minimum

- g. Drip irrigation is encouraged to be incorporated within the landscape buffer area to ensure the success of the proposed plant material.
- h. All other requirements from Section 22-8.4 shall apply.
- 15. The minimum tract area shall be the entirety of the zone. Subdivisions for the purposes of phasing, financing or sale of individual units is permitted as long as the area and bulk requirements for the zone are met.
- H. Design Standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law at N.J.S.A. 40:55D-51.
  - 1. Building Design. The purpose of these building design standards is to ensure that the design of buildings promotes a desirable visual and spatial environment, and that the buildings fit within the existing range of vernacular styles within Rumson Borough. The design of the buildings shall comply with the following standards, and shall be substantially consistent with Exhibit C of the Yellow Brook Settlement Agreement, which is also attached hereto as Exhibit A.
  - 2. Pedestrian Circulation. Pedestrian walkways connecting streets and parking area to the dwellings shall be provided. All walkways shall be constructed of brick or brick concrete pavers.

3. Curbing. All vertical curbs shall be 6" in height and constructed of Belgian block, unless mountable Belgian block curbs are proposed.

#### 4. Lighting.

- a. General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. The use of light emitting diode (LED) fixtures is required for energy efficiency and uniform illumination.
- b. Parking lots shall be illuminated with a minimum of two tenths (0.2) foot-candle. The ratio between maximum foot-candles and average foot-candles shall be no greater than 20 to 1.
- c. Illumination at property lines shall not exceed one-tenth (0.1) foot-candle, excluding public street rights-of-way.
- d. Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures no to exceed twelve (12) feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
- e. Pedestrian level lighting shall be used along any pedestrian walkways not illuminated by parking lot lighting. The minimum <u>average</u> illumination of pedestrian areas shall be two tenths (0.2) foot-candle over the walkway surface, except that no illumination shall be required for trails and pathways in the passive recreation land use area. The ratio between maximum foot-candles and average foot-candles shall be no greater than 20 to 1.
- f. Fixtures for illumination shall be full cutoff luminaires.

#### 5. Mechanical Equipment.

- a. General. Such areas, due to their visual and noise impacts onto adjacent properties and visitors to the site shall be screened, recessed and enclosed.
- b. Outdoor storage, utility meters, HVAC equipment, and other such service functions shall be incorporated into the overall design of the buildings and site layout. Walls, screens and enclosures for such uses shall be of a similar construction and material as the primary buildings to which they are associated. Such accessory structures and uses shall be adequately landscaped to the point where the visual and acoustic impacts of these functions in conjunction with walls, screens and/or enclosures are fully contained and out of the view from general passersby.

#### I. General Standards.

- 1. There shall exist approved public water and public sewer systems which shall be available to each unit prior to the issuance of the building permit for that unit.
- 2. For developments to be constructed over a period of years, a phasing plan shall be submitted as part of the preliminary plan for the entire concept subject to a developer's agreement with the Borough.
- 3. Off-tract improvements including safety improvements at the intersection of Rumson Road and Osprey Lane shall be constructed in coordination with the Borough and the County.

#### J. Affordable Housing.

A payment in-lieu contribution to the Borough's Affordable Housing Trust Fund for the provision of four (4) off-site affordable housing units is required for development within the RR zone, as per the terms and conditions in Section 4.2 of the Yellow Brook Settlement Agreement.

#### **SECTION 2**

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

#### **SECTION 3**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

#### **SECTION 4**

The Borough Clerk is hereby directed, upon adopt of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S.40:49-2.1.

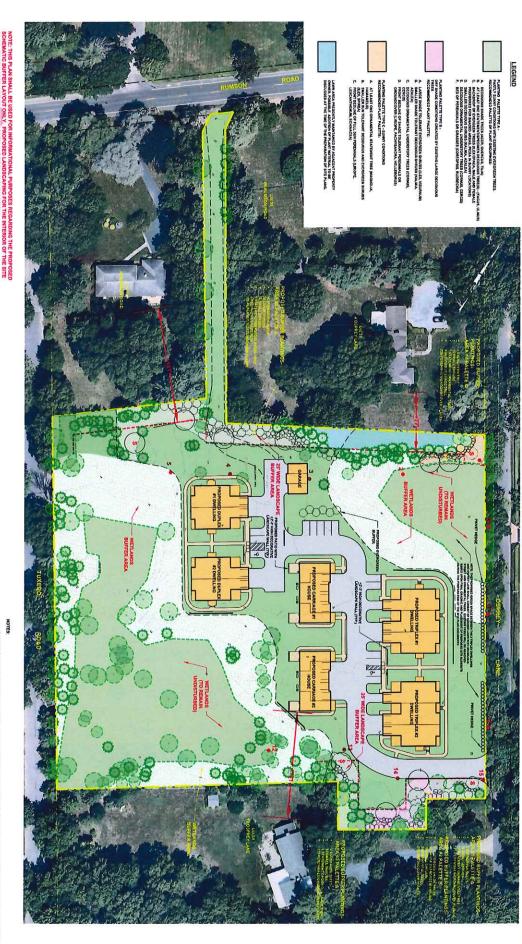
#### **SECTION 5**

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

Introduced:	March 23, 2021	
Passed and Ap	pproved:	
		I hereby approve of the passing of this ordinance.
		Joseph K. Hemphill Mayor
Attest:		
Thomas S. Ro Municipal Cle	gers rk/Administrator	
	I her	ERTIFICATION certify that the foregoing is a

I hereby certify that the foregoing is a true copy of an Ordinance adopted by the Borough Council of the Borough of Rumson at a special meeting held on March 23, 2021.

Thomas S. Rogers
Municipal Clerk/Administrator



ONTE: THIS PLAN SHALL BE USED FOR INFORMATIONAL PURPOSES REGARDING THE PROPOSED SCHEMATIC BUFFER LAYOUT <u>ONLY.</u> PROPOSED LANDSCAPING FOR THE INTERIOR OF THE SITE SHALL BE PROVIDED AT THE TIME OF FORMAL SITE PLAN SUBMISSION.

### LEGEND

STAKE LOCATION AS PER EXISTING BUFFER PLANTINGS INVENTORY BY ROY DEBOER, NOVEMBER 2019. EXISTING DECIDUOUS TREE TO REMAIN

EXISTING EVERGREEN TREE TO REMAIN

PROPOSED DECIDUOUS AND EVERGREEN SHRUB GROUPINGS

WETLANDS BUFFER AREA

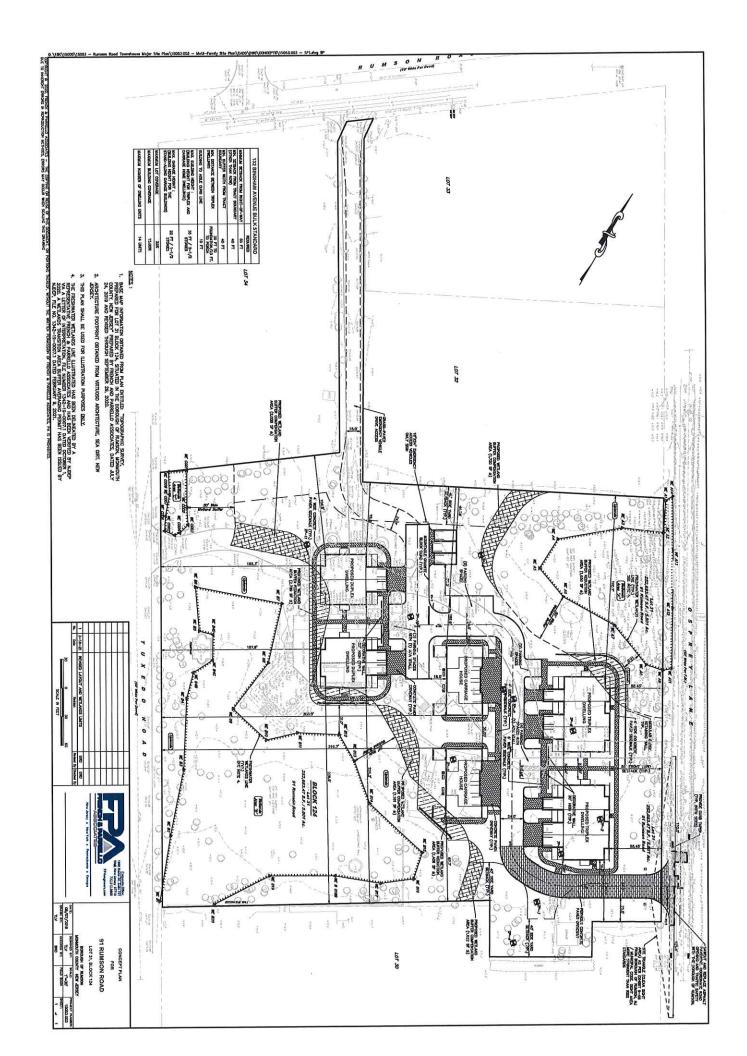
WETLANDS

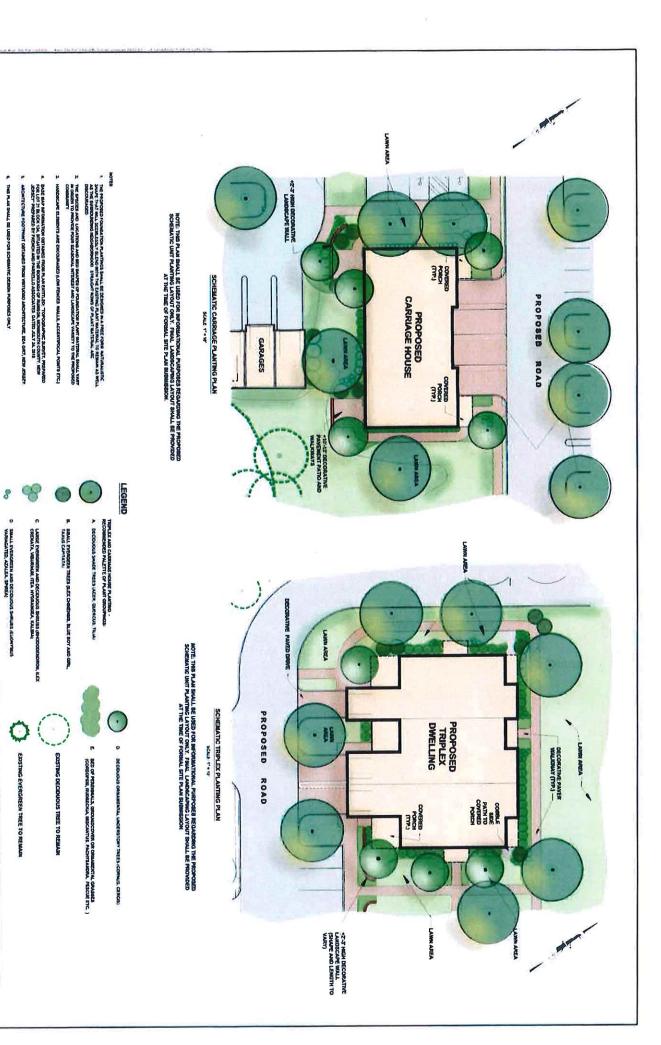
- THE PROPOSED BUFFER PALETTE PLANTINGS SHALL BE DESIGNED IN A FREE FORM INATURALISTIC SHAPE THAT WILL SEEMLESSLY BLEND WITH THE EXISTING PLANT MATERIAL TO REMAIN AS WELL AS THE SURROUNDING NEIGHBORHOOD. STRAIGHT ROWS OF PLANT MATERIAL IS DISCOURAGED. THE APPLICANT SHALL UTILIZE THE EXISTING TREE INVENTORY PHOTOS BY ROY DEBOER AS A GUIDE IN THE PROPOSED BUFFER MATERIAL AND LAYOUT.
- 3. HARDSCAPE ELEMENTS ARE ENCOURAGED (LOW FENCES, WALLS, ACCENT/FOCAL POINTS ETC.)
- PLANT LOCATIONS AND QUANTITIES ARE APPROXIMATE AND SHALL BE USED AS QUIDE DURING FRAAL DESIGN, LAYOUT, SPECIES AND QUANTITIES ARE SUBJECT TO APPROVAL BY RUMSON BOROUGH.
- DASE MAP INFORMATION OSTAINED FROM PLAN ENTILED: "TOPOGRAPHIC SURVEY, PREPARED FOR LOT 31 BLOCK 124, SITUATED IN THE BORDUCH OF RUMSON, MOMBUTH COUNTY, NEW JERSEY PREPARED BY FRENCH AND PARRELLO ASSOCIATES, DATED JULY 24, 2019.
- THIS PLAN SHALL BE USED FOR SCHENATIC DESIGN PURPOSES ONLY. ARCHITECTURE FOOTPRINT OBTAINED FROM VIRTUOSO ARCHITECTURE, SEA GIRT, NEW JERSEY.
- FREDMATER WETLANDS UNE ELLISTRATED HAS BEEN EILHEATED BY A REPREZENTATIVE FRENCH & FARBELLD ASSOCIATES AND THE UNE DOS TO BE KURBIELD BY HALDER BY ALLETING OF INTERPRETATION, THEREFORE THE LINE SHALL BE CONSIDERED APPROXIMATE UNTIL NUSEP MFRHS AND ISSUES THE LO (LETTER OF INTERPRETATION).





OH & PARPELLO





## LEGEND

A. DECIDUOUS SHADE TREES (ACER. QUERCUS, TILIA)

DUPLEX PLANTING PALETTE - RECOMMENDED PALETTE OF PLANT GROUPINGS:

C. LARCE EVERGREEN AND DECIBIOUS SHRUBS (PHODOGOBUDRON, ILEX CREDATA, VIBURNUM, ITEA, HYDRANGEA, KALENA)

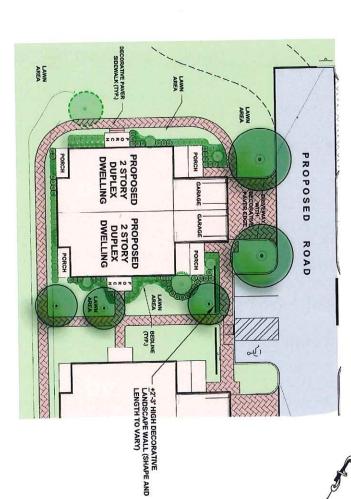
B. SMALL EVERCEEN TREES (ILEX CHINENSIS, BLUE BOY AND CIRL, TAXUS CAPITATA)

SMALL EVERGREEN AND DECIDUOUS SHRUBS (EUONYMUS VARIAGATED, AZALEA, SPREA)

BED OF PERENNALS, GROUNDCOVER OR ORNAMENTAL GRASSES (COREOPSIS, RUDBECKIA, MISCANTUS, PACHYSANDRA, FESCUE, ETC. )

EXISTING DECIDUOUS TREE TO REMAIN

- THE PROPOSED DUPLEX FOUNDATION PLANTINGS SHALL BE DESIRED IN A FREE FORM MATURALISTIC SHAPE "HAY WILL SEDMESSIA" BLOSD WITH THE EXISTEND PLANT MATERIAL TO REMAN EA WELL ACT HES SHEDOWICHIO MEDIADIRIDOD. STRAIDHT ROWS OF PLANT MATERIAL ARE DISCOURAGED.
- 2. THE SPECIES AND LOCATIONS AND BED SHAPES OF FOUNDATION PLANT MATERIAL SHALL VARY IN ORDING TO PROVIDE FOUR SEASONAL INTEREST AND LANDSCAPE VARIETY TO THE PROPOSED COMBINETY. 3. HARDSCAPE ELEMENTS ARE ENCOURAGED (LOW FENCES, WALLS, ACCENT/FOCAL POINTS ETC.)
- A BASE MAP INFORMATION DISTANDS FROM PLANE BHTTLED: "TOPOGRAPHIC SURVEY, PREPARED A DESCRIPTION BLOCK TOA STULVED IN THE BODOLIGH OF REMOCK MANDED HOW TO FUND THE SURVEY PREPARED BY FRENCH AND PARRELLO ASSOCIATES, DATED JULY 24, 2019.
- ARCHITECTURE FOOTPRINT OBTAINED FROM VIRTUOSO ARCHITECTURE, SEA GIRT, NEW JERSEY
- 6. THIS PLAN SHALL BE USED FOR SCHEMATIC DESIGN PURPOSES ONLY.



SCHEMATIC DUPLEX PLANTING PLAN
SCALE: 17=107

NOTE: THIS PLAN SHALL BE USED FOR INFORMATIONAL PURPOSES REGARDING THE PROPOSED SCHEMATIC UNIT PLATFING LAYOUT COILY, FINAL LANDSCAPING LAYOUT SHALL BE PROVIDED AT THE TIME OF FORMAL SITE PLAN SUBINSSION.





SCHEMATIC DUPLEX PLANTING PLAN
POR
PROPOSED RESIDENTIAL STE PLAN







# **OSPREY LANE ELEVATION**

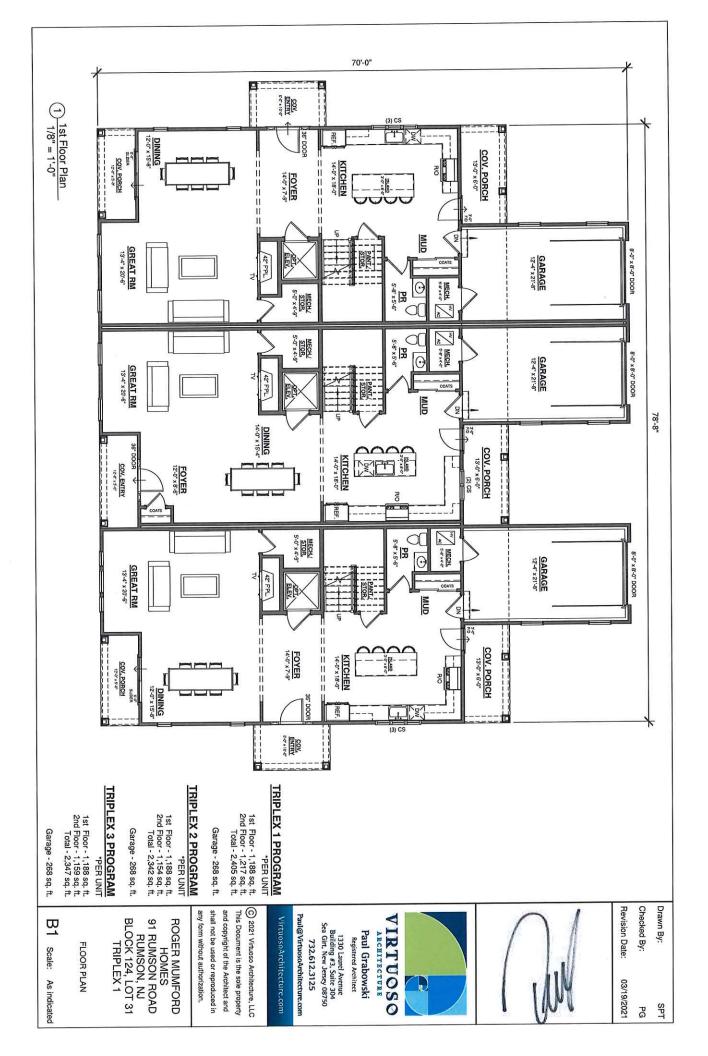


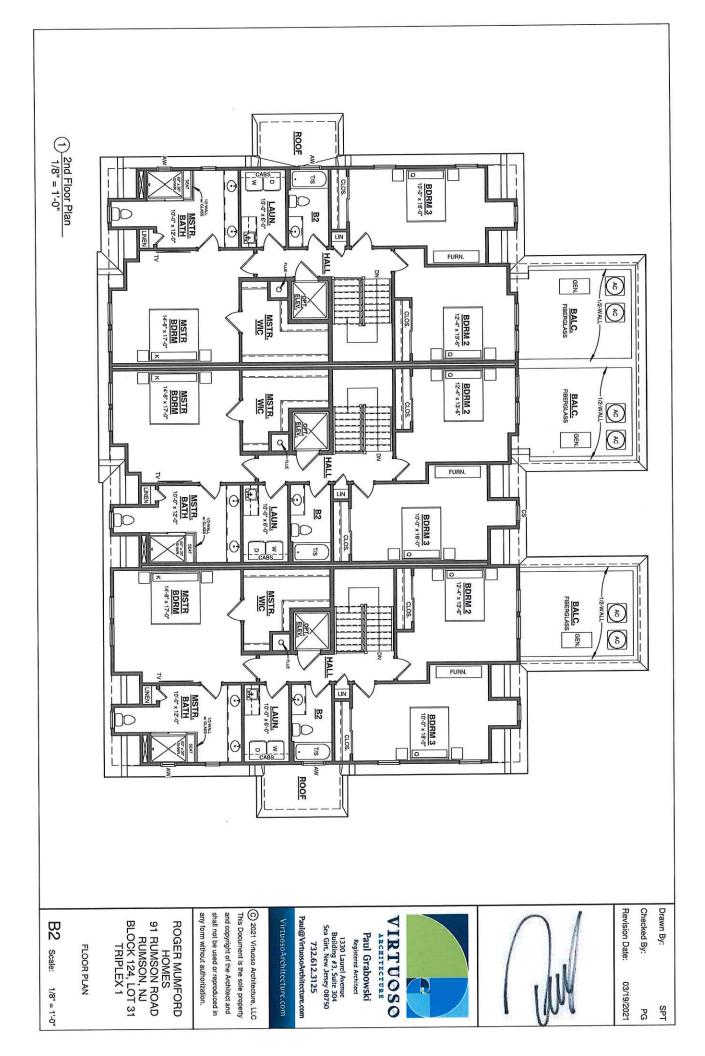
OSPREY LANE ELEVATION
FOR
PROPOSED RESIDENTIAL SITE PLAN

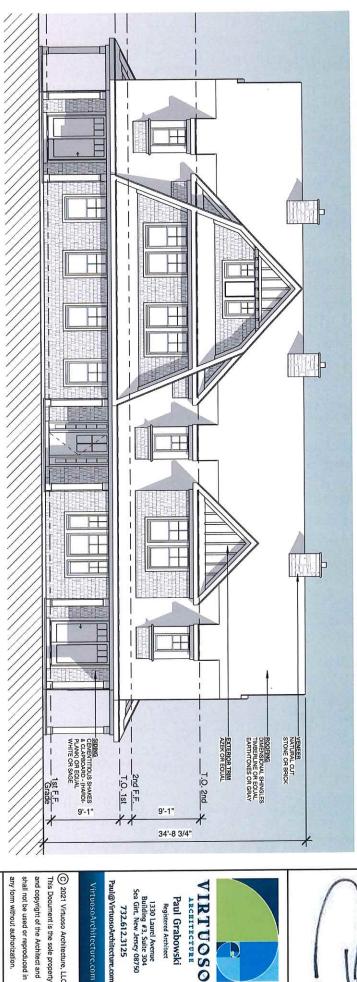
91 RUMSON ROAD
LOT 31, BLOCK 124
BORGUON OF RUMSON
MONMOUTH COUNTY NEW ARREY











1) Front Elevation 1/8" = 1'-0"



Revision Date: Checked By: Drawn By:

03/19/2021

SPT PG



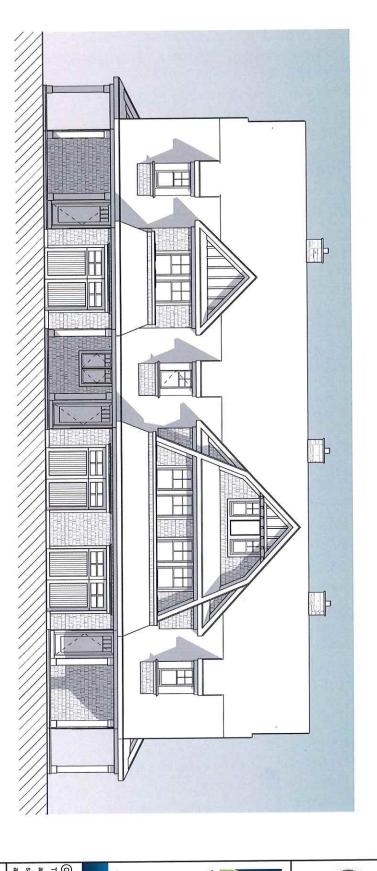
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BLOCK 124, LOT 31
TRIPLEX 1

ELEVATION

Scale:





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SPT PG



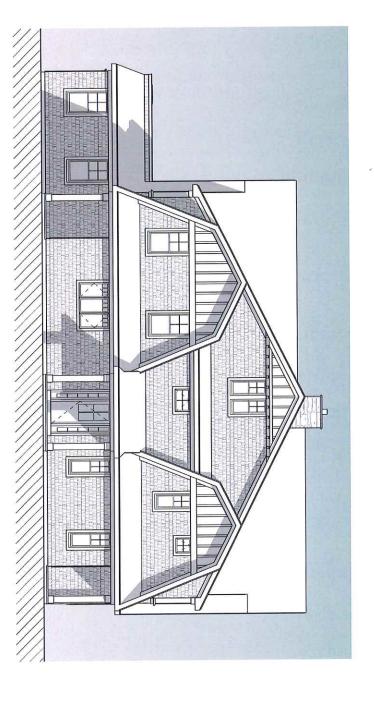
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ELEVATION

C2 Scale:



1 Left Elevation 1/8" = 1'-0"



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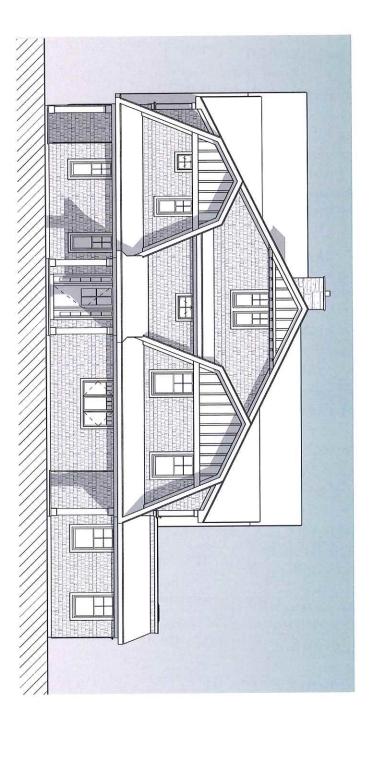
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1/8" = 1'-0"

C3 Scale:

ELEVATION



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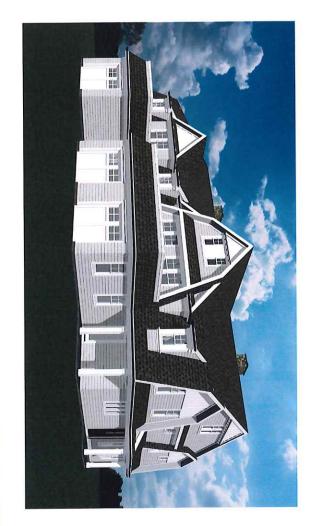
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ELEVATION

C4 Scale: 1/8" = 1'-0"







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D3 Scale:

RENDERINGS







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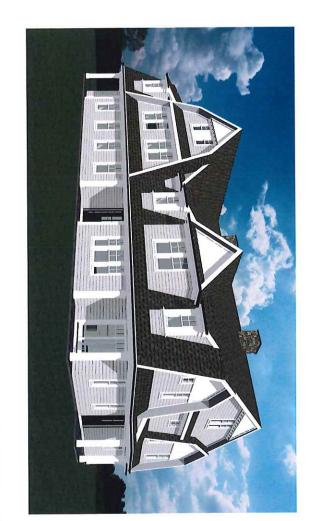
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D2 Scale:

RENDERINGS









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RENDERINGS

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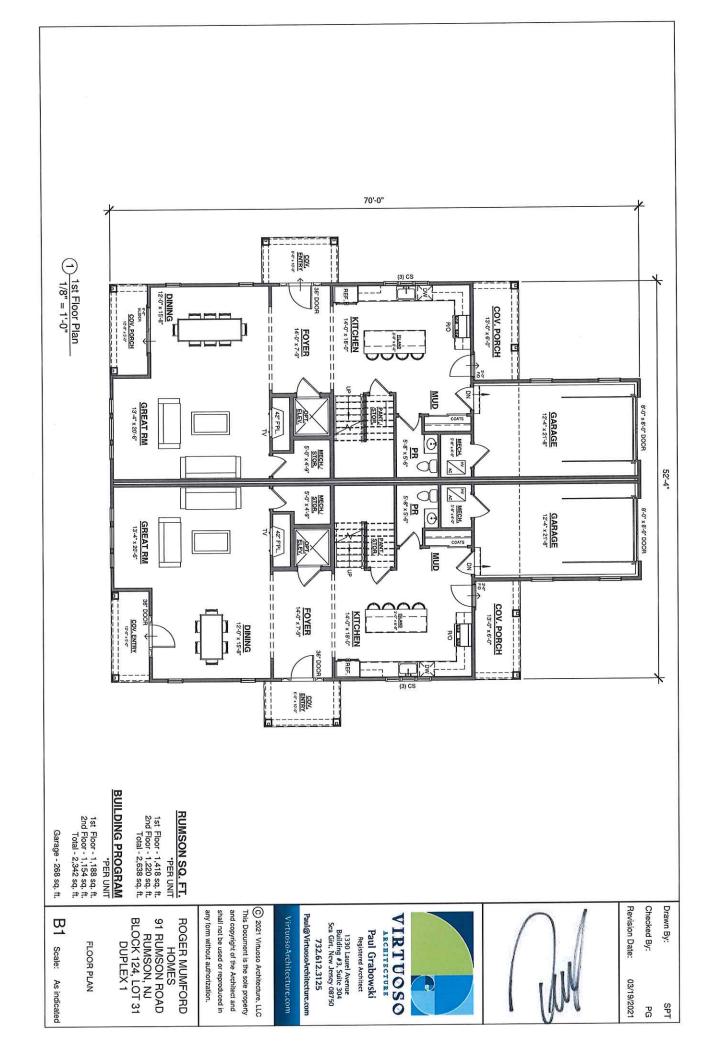
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ROOF \_CABS\_\_ BDRM 3 10-0 × 6-0 ROOF ROOF MSTR. BATH B2 0 FURN. HALL (g) ₫ (F) BALC. FIBERGLASS 1/2-WALL MSTR. BDRM 2 MSTR BDRM 14-8" x 17-0" BDRM 2 MSTR BDRM 14'-8" x 17'-0" BALC. WIC (§) (B) FURN. Ō MSTR. BATH 10'-0" x 12'-0" 0 10'-0" × 6'-0" ROOF ROOF 82 BDRM 3 T/S ROOF

1) 2nd Floor Plan 1/8" = 1'-0"

ROGER MUMFORD
HOMES
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RUMSON, NJ
BLOCK 124, LOT 31
DUPLEX 1 shall not be used or reproduced in and copyright of the Architect and This Document is the sole property any form without authorization. FLOOR PLAN

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1/8" = 1'-0"

B2

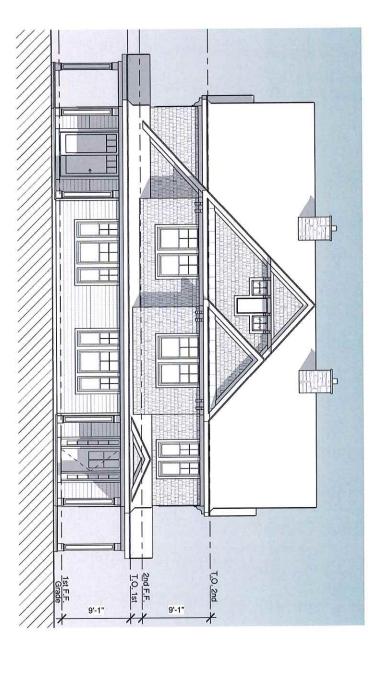
Scale:

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1) Front Elevation 1/8" = 1'-0"



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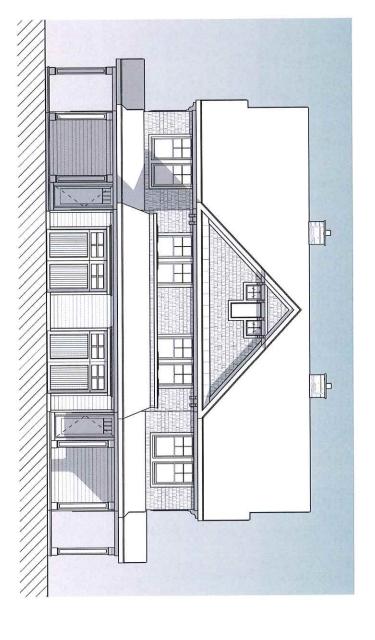
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ROGER MUMFORD HOMES 91 RUMSON ROAD RUMSON, NJ BLOCK 124, LOT 31 DUPLEX 1 C1 Scale: ELEVATION



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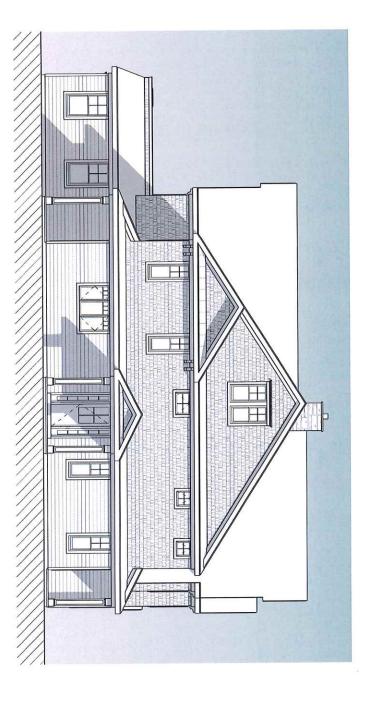
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RUMSON, NJ
BLOCK 124, LOT 31
DUPLEX 1 ELEVATION

1/8" = 1'-0"

C2 Scale:





Drawn By:

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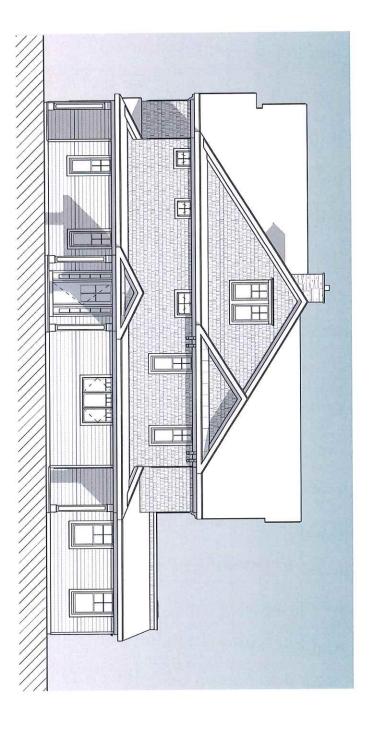
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BLOCK 124, LOT 31
DUPLEX 1

C3 Scale: ELEVATION



1 Right Elevation 1/8" = 1'-0"



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C4 Scale: ELEVATION







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HOMES
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RUMSON, NJ
BLOCK 124, LOT 31
DUPLEX 1 any form without authorization.

D1 Scale: RENDERINGS

Drawn By: Checked By:

SPT

PG

Revision Date: 03/19/2021







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ROGER MUMFORD HOMES 91 RUMSON ROAD RUMSON, NJ BLOCK 124, LOT 31 DUPLEX 1

D2 Scale:

RENDERINGS









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DUPLEX 1

D3 Scale:

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Revision Date:

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W



38'-0" LAUN. BDRM. 2 COV. PORCH 12'-4" x 6'-0" SLIDER PATIO 12'-0" x 12'-0" FOYER 11'-8" x 11'-6" **B**3 GARAGE 11'-4' x 24'-8" 8'-0" x 8'-0" DOOR 11'-4" x 6'-0" GEN. 8'-0" x 8'-0" DOOR GARAGE 11'-4" x 35'-4" (§) (§) (g) 8'-0" x 8'-0" DOOR GARAGE 11'-4" x 35'-4" (§ GEN. SHWR. 8'-0" x 8'-0" DOOR GARAGE 11'-4" x 24'-8" WIC 11'-4" x 6'-0" 器 FOYER 11'-8" x 11'-6" 12'4" x 6'-0" PATIO 12-0" x 12-0" LAUN. BDRM. 2 SLIDER SLIDER RUMSON SQ. FT.

1 1st Floor Plan 1/8" = 1'-0"

**BUILDING PROGRAM** 

1st Floor - 876 sq. ft. 2nd Floor - 1,296 sq. ft. Total - 2,172 sq. ft.

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<u>ω</u> Scale: As indicated

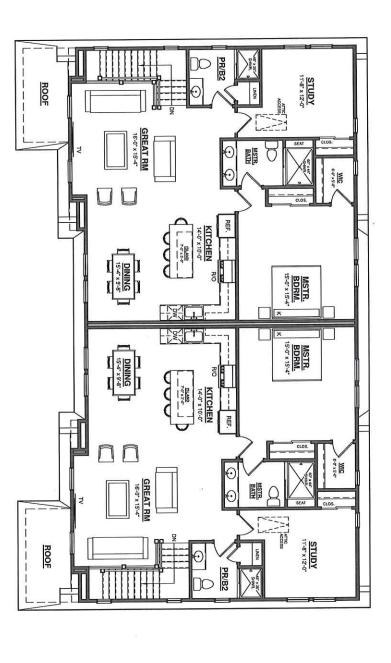
Garage - 293 sq. ft. Interior Garage - 432 sq. ft.

FLOOR PLAN

1st Floor - 619 sq. ft. 2nd Floor - 1,266 sq. ft. Total - 1,885 sq. ft.

\*PER UNIT

1) 2nd Floor Plan 1/8" = 1'-0"





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ROGER MUMFORD HOMES 91 RUMSON ROAD RUMSON, NJ BLOCK 124, LOT 31 CARRIAGE HOUSE

1/8" = 1'-0"

FLOOR PLAN

**B**2

Scale:

 $\Theta$ H VENEER NATURAL CUT STONE OR BRICK H  $\oplus$ SDING
CEMENTITIOUS SHAKES
& CLAPBOARD - (HARDIPLANK) OR EQUAL
WHITE OR SAGE - ROOFING
DIMENSIONAL SHINGLES
TIMBERLINE OR EQUAL
EARTHTONES OR GRAY ROOF ACCENTS AZEK OR EQUAL 2nd F.F. T.O. 1st T.O. 2nd 32'-10 5/8"

1/8" = 1'-0"

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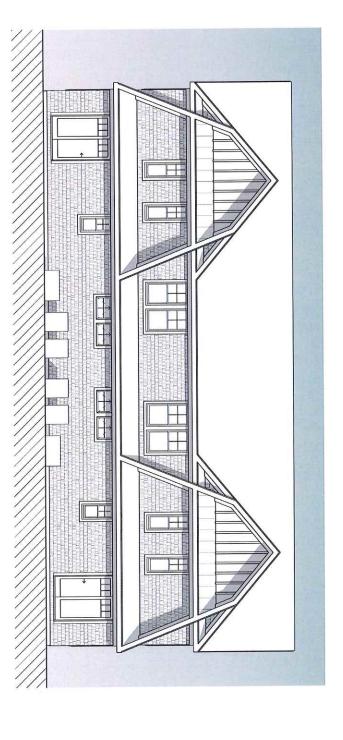
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C1 Scale:

ELEVATION



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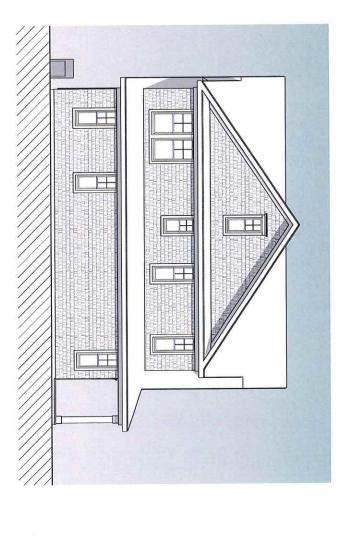
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ELEVATION

C2 Scale:





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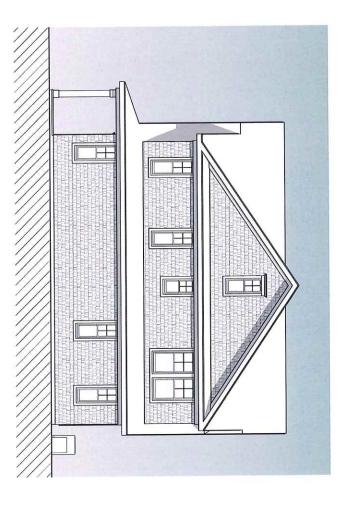


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CARRIAGE HOUSE ELEVATION





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CARRIAGE HOUSE

C4 Scale: 1/8" = 1'-0"

ELEVATION

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CARRIAGE HOUSE RENDERINGS







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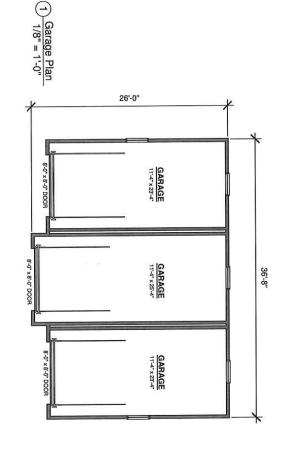
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RENDERINGS

D2 Scale:







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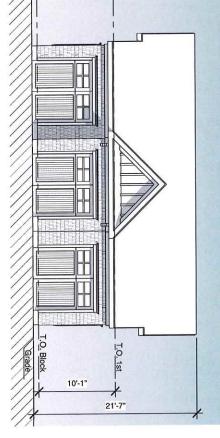
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SHARED GARAGE FLOOR PLAN

Scale:

2 Rear Elevation 1/8" = 1'-0"

1/8" = 1'-0"



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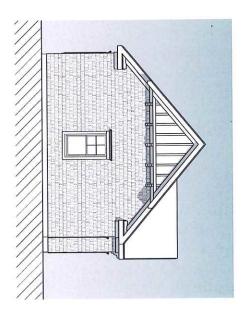
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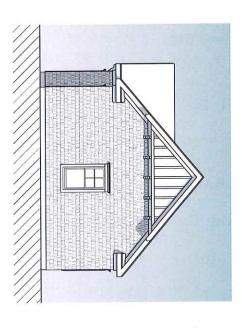
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SHARED GARAGE

ELEVATIONS



1 Left Elevation 1/8" = 1'-0"



2 Right Elevation 1/8" = 1'-0"



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ELEVATIONS

C2 Scale: